



PTO/SB/21 (09-04)

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**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

8

Application Number

10/729,296

Filing Date

December 05, 2003

First Named Inventor

Stout, Tadlington A.

Art Unit

3764

Examiner Name

Nguyen, Tam M.

Attorney Docket Number

AQU400US

**ENCLOSURES (Check all that apply)**

Fee Transmittal Form



Fee Attached



Amendment/Reply



After Final



Affidavits/declaration(s)



Extension of Time Request



Express Abandonment Request



Information Disclosure Statement



Certified Copy of Priority Document(s)

Reply to Missing Parts/  
Incomplete ApplicationReply to Missing Parts  
under 37 CFR 1.52 or 1.53

Drawing(s)



Licensing-related Papers



Petition

Petition to Convert to a  
Provisional Application

Power of Attorney, Revocation



Change of Correspondence Address



Terminal Disclaimer



Request for Refund



CD, Number of CD(s) \_\_\_\_\_

☐ Landscape Table on CD

After Allowance Communication to TC

Appeal Communication to Board  
of Appeals and InterferencesAppeal Communication to TC  
(Appeal Notice, Brief, Reply Brief)

Proprietary Information



Status Letter

Other Enclosure(s) (please identify  
below):

Itemized postcard

Remarks

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm Name

Gavrilovich, Dodd, and Lindsey, LLP

Signature

Printed name

Charles D. Gavrilovich, Jr.

Date

January 12, 2005

Reg. No.

41,031

**CERTIFICATE OF TRANSMISSION/MAILING**

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Charles D. Gavrilovich, Jr.

Date

January 12, 2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: **Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Tadlington A. Stout

Serial No.: 10/729,296

Filed: December 05, 2003.

Art Unit: 3764

Examiner: Tam M. Nguyen

Docket No. AQU400US

For: **ACQUATIC EXERCISE DEVICE**

**CERTIFICATION UNDER 37 CFR § 1.8**

I hereby certify that the documents referred to as enclosed herein are being deposited with the United States Postal Service as first class mail on this date January 12, 2005, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

January 12, 2005  
Date

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Sir:

**RESPONSE TO NON-FINAL OFFICE ACTION**

In response to the Office Action dated October 18, 2004, please amend the application as indicated below.

**Amendments to the Claims** begin on page 2 of this Amendment.

**Remarks** begin on page 5 of this Amendment.